

NATIONAL TRANSPORTATION SAFETY BOARD

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 IN RE: :  
 :  
 THE EL FARO INCIDENT OFF THE: NTSB Accident No.  
 COAST OF THE BAHAMAS ON : DCA16MM001  
 OCTOBER 1, 2015 :  
 :  
 -----:

INTERVIEW OF: JAIME TORRES

Friday,  
 October 9, 2015

Jacksonville, Florida

BEFORE:

MIKE KUCHARSKI, NTSB  
 [REDACTED] U.S. Coast Guard  
 MIKE MILLAR, ABS  
 KEVIN STITH, TOTE Services  
 LCDR [REDACTED] U.S. Coast Guard

PRESENT ON BEHALF OF THE INTERVIEWEE:

GIL FELTEL, ESQ., Tanner Bishop

This transcript was produced from audio  
 provided by the National Transportation Safety Board.

1 P-R-O-C-E-E-D-I-N-G-S

2 MR. KUCHARSKI: Good afternoon, everyone.

3 Today is the 9th of October, 2015. We're onboard the  
4 El Yunque which is sister ship to the El Faro. The El  
5 Faro is our investigation of what happened on the El  
6 Faro and the loss of the El Faro.

7 We're here onboard the ship, and we're in  
8 the officer's lounge and we're getting set to interview  
9 the 2nd Mate of the vessel Jaime Torres. And before I  
10 start, just a little groundwork or ground rules. Mr.  
11 Torres -- ground rule -- Mr. Torres, do you mind if we  
12 record this?

13 MR. TORRES: No, go ahead.

14 MR. KUCHARSKI: Okay. It's okay for us to -

15 -

16 MR. TORRES: Yes.

17 MR. KUCHARSKI: Yes? And we're going to ask  
18 you some basic questions to try to determine, as we're  
19 tasked by Congress, the probable cause of what happened  
20 on the El Faro.

21 MR. TORRES: Okay.

22 MR. KUCHARSKI: We have no enforcement type  
23 powers. In other words, we can't put you in jail or  
24 fine people or anything like that. That's not part of  
25 our task. We don't belong to the Department of

1 Transportation or any other agency.

2 We're a separate, standalone agency and we  
3 investigate, as a whole, transportation accidents.

4 MR. TORRES: Okay.

5 MR. KUCHARSKI: So we determine probable  
6 cause in hopes that this will never happen again, sort  
7 of a lessons learned.

8 Okay, so before I go ahead and ask you more  
9 questions, I'd like to go around the room for the  
10 people that are here besides yourself. So I'll start  
11 to my right.

12 LCDR [REDACTED] Lieutenant Commander [REDACTED]  
13 [REDACTED] from the Coast Guard.

14 MR. STITH: Kevin Stith with TOTE Services.

15 MR. MILLAR: Michael Millar, with American  
16 Bureau of Shipping.

17 MR. [REDACTED] [REDACTED] the Coast Guard.

18 MR. FELTEL: Gilbert Feltel, Tanner Bishop  
19 law firm here as Mr. Torres' personal representative  
20 and attorney.

21 MR. KUCHARSKI: Okay.

22 MR. TORRES: Jaime Torres, 2nd Mate.

23 MR. KUCHARSKI: Okay, my name is Mike  
24 Kucharski, and I'm the group Chairman of Operations,  
25 the Operations Group would include stability, cargo and

1 the nautical operations like navigation type items,  
2 okay.

3 Okay, Mr. Torres, would you spell your name  
4 please, full name, proper name?

5 MR. TORRES: Yes, sure. J-A-I-M-E. That's  
6 Juliet-Alpha-India-Mike-Echo. And Torres, Tango-Oscar-  
7 Romeo-Romeo-Echo-Sierra.

8 MR. KUCHARSKI: That would be T-O-R-R-E-S?

9 MR. TORRES: Correct.

10 MR. KUCHARSKI: Okay. And would tell us  
11 your position?

12 MR. TORRES: Second mate.

13 MR. KUCHARSKI: Okay, 2nd Mate. Would that  
14 be 2nd Officer?

15 MR. TORRES: Second Officer, yes.

16 MR. KUCHARSKI: And that's onboard the El  
17 Yunque?

18 MR. TORRES: Correct.

19 MR. KUCHARSKI: Okay, would you tell us  
20 about your background, basically martime-related  
21 background, if you will -- schooling and where you've  
22 sailed?

23 MR. TORRES: Okay. I graduated from Fort  
24 Schuyler, 2005. I sailed on car carriers with ARC for  
25 a couple years, and I transferred over here as 2nd Mate

1 on the El Yunque in April of 2008. And I've been here  
2 ever since.

3 For the past two and a half years I was  
4 Chief Mate, both on the El Morro and the El Faro. And  
5 as of September 4th, I've been here as 2nd Mate.

6 MR. KUCHARSKI: Okay, so when were you last  
7 on El Faro?

8 MR. TORRES: I signed off the El Faro July  
9 20th.

10 MR. KUCHARSKI: July 20th of this year?

11 MR. TORRES: Correct.

12 MR. KUCHARSKI: And you were Chief Mate on  
13 there at that time?

14 MR. TORRES: Correct.

15 MR. KUCHARSKI: Okay, I'll change my  
16 original off-the-record. We may ask you a little bit  
17 more detailed questions, if you don't mind.

18 MR. TORRES: Sure.

19 MR. KUCHARSKI: Yes, we'll open it up to  
20 that. So you came off the El Faro in July of 2015,  
21 this year. And how long did you sail as Chief Mate on  
22 the El Faro?

23 MR. TORRES: Right from when we took it out  
24 of the yard. I have to -- a year and a half, about  
25 that, from when we took it out of the yard.

1 MR. STITH: Okay, so Kevin Stith, TOTE  
2 Services. I think that was January 2013 it came out  
3 of the shipyard or something like that.

4 MR. TORRES: Yes, about that.

5 MR. KUCHARSKI: Okay, so, Mr. Torres, is  
6 that January of 2013, about?

7 MR. TORRES: I can't recall the date off the  
8 top of my head.

9 MR. KUCHARSKI: Was it in -- can you tell  
10 me, was it in the winter of 2013? Do you know that?

11 MR. TORRES: Possibly. Not off the top of  
12 my head. I have -- I can't recall the exact dates.

13 MR. KUCHARSKI: I'm not asking you exact.  
14 Was it -- you said a year and a half?

15 MR. TORRES: Possible, yes. Yes, 2013.

16 MR. KUCHARSKI: Okay. So you were Chief  
17 Mate on the El Faro. You came off in 2015. Let me  
18 just ask you a few questions, if you will, on the El  
19 Faro.

20 When the vessel came into port, were you  
21 give -- port in Jacksonville -- were you given any kind  
22 of a prestow plan for you, either paper or computer?

23 MR. TORRES: There were not.

24 MR. KUCHARSKI: Okay. How about stability  
25 of the vessel? Any stability calculations?

1 MR. TORRES: No.

2 MR. KUCHARSKI: When did you actually first  
3 physically see, or were you given any stability or  
4 stowage calculations, stowage positions, for the  
5 vessel?

6 MR. TORRES: Prior to sailing it was, cargo  
7 was completed, we received the stability calculations.

8 MR. KUCHARSKI: Okay. And the same thing  
9 with the stow plan, if you will?

10 MR. TORRES: Correct.

11 MR. KUCHARSKI: Were there any discussions  
12 with any shoreside personnel about the stability or the  
13 stowage during the time you were loading?

14 MR. TORRES: Correct. Throughout the day,  
15 yes, we exchanged information.

16 MR. KUCHARSKI: And what kind of information  
17 would you typically exchange?

18 MR. TORRES: Stability, the position of  
19 cargo, reefers, all of the above.

20 MR. KUCHARSKI: Okay, how about if you had  
21 any, a request for latches?

22 MR. TORRES: Also, yes, we would have a  
23 discussion about that in case we were going through  
24 weather. We could request additional hurricane  
25 latches.

1                   MR. KUCHARSKI: Okay, the hurricane latches,  
2 was there a separate profile documented somewhere,  
3 written, was to be done for hurricane latches?

4                   MR. TORRES: No, not in particular. We  
5 would just basically double-up chain on the second deck  
6 and below for (inaudible) weather.

7                   MR. KUCHARSKI: And how about the  
8 containers?

9                   MR. TORRES: Containers? No. Generally,  
10 what we would do is just latch the ends, two and two.

11                  MR. KUCHARSKI: So nothing extra, over and  
12 above, for hurricane --

13                  MR. TORRES: No.

14                  MR. KUCHARSKI: -- hurricane latches?

15                  MR. TORRES: No, not on the main deck, no.

16                  MR. KUCHARSKI: So essentially it was all  
17 just the Roll-on RO/RO cargo?

18                  MR. TORRES: Correct.

19                  MR. KUCHARSKI: Okay. And, as you said,  
20 there was nothing in writing on that. It was just to  
21 double-latch. Could you explain to us what a double-  
22 latch is?

23                  MR. TORRES: Yes, basically, we could, if  
24 you take a trailer, and so you have four chains. We  
25 could add two more on the front, two more on the back.



1 So you had typically four chains, so you had two on the  
2 front, two on the back. So we'd have an additional two  
3 on the front and there's an additional two on the back.  
4 So we're essentially doubling your chain on any piece  
5 of cargo.

6 MR. KUCHARSKI: So you normally have four  
7 chains?

8 MR. TORRES: Depends on the stowage of the  
9 trailer. Trailers, if they're on the button, here, and  
10 they're not on the wings, you typically just have two  
11 chains in the back. Now if you have a trailer on the  
12 button, but it's on the wings, then you have two on the  
13 front and two in the back.

14 Now if you have a trailer that's not on the  
15 button, then you have four in the front and two in the  
16 back.

17 MR. KUCHARSKI: And that's for a hurricane?

18 MR. TORRES: That's -- no, that's just  
19 standard. Then, you go with the hurricane and then  
20 you add the additional latch.

21 MR. KUCHARSKI: So it's not on the button,  
22 it's on the wing, you have four forward and four aft?

23 MR. TORRES: Four forward and two aft.

24 MR. KUCHARSKI: Okay.

25 MR. TORRES: So, with the wings, we just add

1 additional two in the front if it's on the button.

2 MR. KUCHARSKI: Okay, on the button or off  
3 button?

4 MR. TORRES: On the button. If it's off the  
5 button it always gets four in the front and always the  
6 two in the back.

7 MR. KUCHARSKI: Okay, and then for a  
8 hurricane?

9 MR. TORRES: Hurricane, we just double it  
10 up.

11 MR. KUCHARSKI: So you'd have, then, 12  
12 chains on that trailer instead of 6?

13 MR. TORRES: If it's on -- if it's not on  
14 the button, it's got four in the front already, we just  
15 add an additional two in the back. So you'd have four  
16 and four. That'd be eight. So you got plenty of  
17 chains in the front already. We just add an additional  
18 two, either in the center or towards the back.

19 MR. KUCHARSKI: Okay, so it would be just a  
20 doubling of those two on the back?

21 MR. TORRES: Correct.

22 MR. KUCHARSKI: Okay. We'll stop there.  
23 There's a lot of information. Anybody want to ask  
24 anything?

25 LCDR [REDACTED] Just a general question.

1 Lieutenant Commander [REDACTED] from the Coast Guard.  
2 Just a -- and I'm trying to -- I'm getting educated on  
3 the way you latch things and so forth. But the  
4 connection to the actual vehicles, the stuff I was  
5 seeing down below, it looked there was actually a strap  
6 that the chains would connect to.

7 You know, like it would e-ring onto,  
8 something that would go through the wheel area.

9 MR. TORRES: Okay, on cars, in particular,  
10 on vehicles, you're saying?

11 LCDR [REDACTED] Cars yes.

12 MR. TORRES: Yes. So that we're not  
13 damaging cars, which putting a strap directly to metal,  
14 to metal or rubbing plastic off, we use a one-ton strap  
15 which is a cloth strap, essentially. And you put it  
16 around a rim, and that way you're not hurting the car  
17 as you're latching the car.

18 LCDR [REDACTED] So did you double up on  
19 cars like that too or?

20 MR. TORRES: On cars, typically you don't  
21 double up on cars unless they are (phonetic) Thord  
22 ships. If you have a car that's parked across the ship  
23 then we could add -- we would add latching to the  
24 front and to the back. So instead of having two and  
25 two, you would have three and three.

1 LCDR [REDACTED] Okay.

2 MR. TORRES: And then, in addition to that,  
3 you have the chalks on the tires as well to keep it  
4 from moving toward ships.

5 MR. KUCHARSKI: Do you have a question to  
6 ask?

7 MR. STITH: Yes, Kevin Stith, TOTE Services.  
8 What, in your experiences on the El Faro, what would  
9 determine when those hurricane latching would be used  
10 or utilized?

11 MR. TORRES: When we anticipated heavy  
12 weather we would discuss with shoreside. And we would  
13 then ask for the additional hurricane latching.

14 MR. STITH: Kevin Stith again. So would  
15 that be a conversation between the master, the Chief  
16 Mate and, say, the port captain?

17 MR. TORRES: Correct.

18 MR. KUCHARSKI: And the port captain -- this  
19 is Mike Kucharski. Port captain, is that an official  
20 title, the port captain?

21 MR. TORRES: Correct. Yes.

22 MR. KUCHARSKI: Could you -- do you have a  
23 name of this port captain?

24 MR. TORRES: Yes, (phonetic) Don Matthews  
25 was -- we exchanged information.

1 MR. KUCHARSKI: Sorry, we're -- he can't  
2 pick this up on the tape, but we're laughing a little  
3 bit because Don Matthews, we find out his official  
4 title is the Marine Operations Manager and not the port  
5 captain.

6 I was so confused in all these different  
7 terms that I just --

8 MR. TORRES: That is correct.

9 MR. KUCHARSKI: I just need to bring it out.  
10 That's why we're laughing.

11 MR. TORRES: All right, okay.

12 MR. KUCHARSKI: When you see us smiling it's  
13 -- was very confusing to us --

14 MR. TORRES: Yes, all right, I --

15 MR. KUCHARSKI: -- in toto.

16 MR. TORRES: And I can clarify.

17 MR. KUCHARSKI: Sure.

18 MR. TORRES: For those of us that have been  
19 here for years, Don was originally port captain. So  
20 he, of course, moved up the chain. But for us, Don  
21 always remained as the port captain.

22 MR. KUCHARSKI: Okay, not that's going to  
23 give me another question. This is Mike Kucharksi. Is  
24 there another person in this whole hierarchy, that you  
25 know of, that is the port captain?

1 MR. TORRES: No, not that I am aware of.

2 MR. KUCHARSKI: Okay, thank you.

3 MR. STITH: Kevin Stith with TOTE Services.

4 In your experience on El Faro, and needed to put extra  
5 latching on for weather situations, did you always  
6 have adequate or an adequate number of latching  
7 available?

8 MR. TORRES: On the El Faro, in my  
9 experience for a year and a half, we never had to add  
10 hurricane latching because we were in perfect weather  
11 the entire time.

12 MR. STITH: Okay, thank you.

13 MR. KUCHARSKI: And is there a latching  
14 inventory that's kept on the vessel?

15 MR. TORRES: That's correct. Yes.

16 MR. KUCHARSKI: And is there a minimum  
17 number that should be aboard the vessel?

18 MR. TORRES: That's correct.

19 MR. KUCHARSKI: And who monitors that  
20 latching inventory?

21 MR. TORRES: The Chief Mate.

22 MR. KUCHARSKI: Okay, and if you need extra  
23 latching who do you contact?

24 MR. TORRES: We would contact Don Matthews,  
25 and he would supply it.

1 MR. KUCHARSKI: Okay. Okay, so back to the  
2 actual load-out. You get the stability information and  
3 the stowage plan, the final stowage plan. You look at  
4 that, I assume, and then what do you do with that  
5 information?

6 MR. TORRES: Well, once we receive the stow  
7 plan and the stability calculations I would again go on  
8 the program, latch program, verify everything. Once  
9 everything is correct, then we make the proper log  
10 entries and, for example, go up to the bridge, make the  
11 log entries. And the captain would get a copy of the  
12 load plan as well.

13 MR. KUCHARSKI: Okay, and I -- this is Mike  
14 Kucharski again -- I just assume that, you say you get  
15 a copy of the load plans -- it's on some electronic  
16 form that you can put it on your --

17 MR. TORRES: Correct.

18 MR. KUCHARSKI: -- bridge computer?

19 MR. TORRES: We actually -- yes, we get it  
20 on paper, print it out, the entire load plan and we  
21 also get it on a thumbdrive, yes. So then we can plug  
22 it into our computer in the office and then verify  
23 everything.

24 MR. KUCHARSKI: Great. And so you then put  
25 it in the log book. Do you do anything else,

1 physically, to see if the information is correct?

2 MR. TORRES: Well, we have the LO/LO plan  
3 and the RO/RO plan. And we go piece by piece, you  
4 know, and verify that all the entries are correct.

5 MR. KUCHARSKI: Don't want to actually -- I  
6 don't want to hide the -- do you get drafts on there?

7 MR. TORRES: Correct.

8 MR. KUCHARSKI: On the load plan?

9 MR. TORRES: Yes, we do.

10 MR. KUCHARSKI: What do you do with those  
11 drafts?

12 MR. TORRES: Well, we have the calculated  
13 drafts and then we, of course, take the visual drafts,  
14 and we compare those.

15 MR. KUCHARSKI: And what's your experience  
16 on the visual drafts in comparison to the calculated  
17 for the El Faro?

18 MR. TORRES: They're a little off.

19 MR. KUCHARSKI: Which way?

20 MR. TORRES: Generally the actual drafts are  
21 a little lighter.

22 MR. KUCHARSKI: And so the calculated shows  
23 a greater draft than what the visual are showing?

24 MR. TORRES: No, the opposite. Visual is a  
25 little deeper. And the calculated's a little lighter.



1 MR. KUCHARSKI: Do you know if the program,  
2 without you putting any other information in,  
3 calculates hog and sag?

4 MR. TORRES: Yes, it does.

5 MR. KUCHARSKI: Okay. So without you  
6 putting in drafts into the computer, it'll tell you  
7 what the hog and sag is?

8 MR. TORRES: Yes, it does.

9 MR. KUCHARSKI: Does it also give shear  
10 force and bending moments?

11 MR. TORRES: Yes, it does.

12 MR. [REDACTED] [REDACTED] with the Coast  
13 Guard. You said the actual drafts were a little  
14 deeper.

15 MR. TORRES: Yes.

16 MR. [REDACTED] Can you gage that at all,  
17 roughly?

18 MR. TORRES: Not off the top of my head. I  
19 couldn't give you a --

20 MR. [REDACTED] A range?

21 MR. TORRES: Yes. Every --

22 MR. [REDACTED] A ballpark?

23 MR. TORRES: Every load will be different,  
24 of course, so I can't tell you an average off the top  
25 of my head, no.

1 MR. KUCHARSKI: Mike Kucharski. What was  
2 the most, the greatest difference you ever saw?

3 MR. TORRES: I can't tell you with certainty  
4 what the number would be.

5 MR. KUCHARSKI: But was the ship ever over  
6 the marks?

7 MR. TORRES: No.

8 MR. [REDACTED] [REDACTED] again. Could you  
9 even estimate whether you're talking an inch or a foot?

10 MR. TORRES: I can't -- I'm not going to --  
11 I can't speculate. And I can't give you an exact  
12 answer, so I'm not going to.

13 MR. MILLAR: Mike Millar with ABS. When  
14 you're doing your reviews, you know, captain's signing  
15 off on the calculations and here's -- do you actually  
16 record the actual drafts on the documentation?

17 MR. TORRES: Absolutely, yes.

18 MR. MILLAR: And are those records just kept  
19 on the ship or are they communicated somewhere else?  
20 Do we provide the actual draft readings to the  
21 shoreside relief?

22 MR. TORRES: Yes.

23 MR. MILLAR: So there's going to -- there  
24 should be some records in the course of business  
25 showing the calculated and the actuals?

1 MR. TORRES: Absolutely yes.

2 MR. MILLAR: Okay, and do you know how  
3 that's communicated to shoreside?

4 MR. TORRES: Here in Jacksonville, Don  
5 Matthews and the Chief Mate actually take the drafts  
6 together. So as the Chief Mate's recording them Don  
7 Matthews is doing is also.

8 In San Juan, once cargo's completed and they  
9 bring the paperwork down the Chief Mate writes the  
10 drafts on the reefer manifest copy that is going back  
11 to the office.

12 MR. MILLAR: Okay. When you're through that  
13 review process, and obviously cargo operations are done  
14 at that point --

15 MR. TORRES: Yes.

16 MR. MILLAR: -- do you -- when you're at  
17 that point you're done with your review, what is the  
18 next -- have you ever had to go make changes as a  
19 result of that input? In other words, hey, I'm going  
20 to have to take off more ballast or I have to put more  
21 ballast on?

22 MR. TORRES: Yes, we have.

23 MR. MILLAR: And can you describe what some  
24 of those circumstances might have occurred? And how  
25 were those results communicated in the final?

1 MR. TORRES: All right, for example, we  
2 receive the stability paperwork and you can see that  
3 you're a little tight on your mid-ship marks and would  
4 simply discuss with the captain, discuss with Don  
5 Matthews. And then we would go back to the office with  
6 Don.

7 We'd look the numbers, see what ballast,  
8 what tank we could de-ballast, to then get our marks up  
9 so that, you know, we're not exceeding. And then we  
10 would make the changes on the ship before we departed  
11 dock.

12 MR. MILLAR: And so even though we submitted  
13 the first one, saying here's the things, and everybody  
14 goes around and checks.

15 MR. TORRES: Yes.

16 MR. MILLAR: If there's an adjustment that  
17 needs to be made then there's another "final final"?

18 MR. TORRES: Correct, yes.

19 MR. MILLAR: All right, and when you're  
20 reviewing the hogging and stressing does the program  
21 have a limit that'll actually tell you you're over a  
22 hundred hogging stresses? In other words, it'll turn  
23 red and say it's no good?

24 MR. TORRES: Absolutely, yes.

25 MR. MILLAR: Do you know what that limit is

1 for the hogging and stressing on the software?

2 MR. TORRES: I couldn't tell you what the  
3 number exactly is, no.

4 MR. MILLAR: Okay.

5 MR. STITH: Kevin Stith with TOTE Services.  
6 Are the departure drafts sent in on the departure  
7 report?

8 MR. TORRES: Absolutely, yes.

9 MR. STITH: All right. In your experience  
10 as Chief Mate, have you ever had any issues with a  
11 CargoMax program or data entry from shoreside,  
12 basically mis-entries or anything like that?

13 MR. TORRES: No.

14 MR. STITH: Okay, thank you. No more  
15 questions.

16 MR. KUCHARSKI: Mike Kucharski. How did you  
17 get the offshore drafts midship?

18 MR. TORRES: We can lean over the rail at  
19 the midship's marks and you can make them out.

20 MR. KUCHARSKI: So that you, every time  
21 somebody would lean over and get the --

22 MR. TORRES: Yes.

23 MR. KUCHARSKI: -- offshore drafts?

24 MR. TORRES: Typically, the 2nd Mate will  
25 stand by the portside midship marks until we're ready,

1 and them out.

2 MR. KUCHARSKI: Any questions on this?

3 LCDR [REDACTED] Sure. Lieutenant  
4 Commander with the Coast Guard. Did you ever  
5 experience any kind of minor flooding on the El Faro or  
6 this ship, anything where you -- were you in a drill  
7 where you had to use your stability software, CargoMax,  
8 to look at flooding?

9 MR. TORRES: No.

10 LCDR [REDACTED] Okay.

11 MR. KUCHARSKI: Okay? Any problems while  
12 you were on El Faro with propulsion? Did the vessel  
13 ever lose the plant or lose a boiler while you were  
14 underway, have any type of steering casualty while you  
15 were onboard the vessel?

16 MR. TORRES: Yes, once.

17 MR. KUCHARSKI: Okay, could you tell us  
18 about when that was and what it was?

19 MR. TORRES: At one point, we departed San  
20 Juan. We'd just gotten offshore, and we lost  
21 propulsion.

22 MR. KUCHARSKI: Lost propulsion.

23 MR. TORRES: Yes.

24 MR. KUCHARSKI: So let me understand this  
25 clearly, propulsion. Did the vessel black out in any

1 way? Or did you go to the emergency diesel generator?  
2 Or was it just propulsion?

3 MR. TORRES: As I recall, it was just  
4 propulsion.

5 MR. KUCHARSKI: Do you remember -- you say  
6 that was leaving San Juan.

7 MR. TORRES: Correct.

8 MR. KUCHARSKI: Was the pilot aboard?

9 MR. TORRES: The pilot has just gotten off  
10 the ship.

11 MR. KUCHARSKI: And where, approximately,  
12 does the pilot get off?

13 MR. TORRES: Typically, no more than three  
14 miles offshore. So anywhere between the El Morro  
15 outside and three miles is where the pilots typically  
16 get off.

17 MR. KUCHARSKI: So the pilot has gotten off  
18 then lost propulsion, but not the lights or anything  
19 like that?

20 MR. TORRES: As I recall, yes, we didn't  
21 lose the lights. We just lost propulsion.

22 MR. KUCHARSKI: And do you, were you up on  
23 the bridge at the time or?

24 MR. TORRES: I had just finished my  
25 stability paperwork and I was in the O Office. The

1 captain called me up and said, "Jaime, please get up  
2 here." And as I got up there we had lost propulsion,  
3 like I said, and we were basically trying to  
4 communicate with the engineers as to what was going on  
5 so that we could take the proper steps going forward.

6 MR. KUCHARSKI: Was there any talk of  
7 possibly letting go of the anchors?

8 MR. TORRES: Not outside of San Juan. The  
9 water depth drops very quickly so there is no chance of  
10 -- you're going to lost the anchor if you're going to  
11 do anything.

12 MR. KUCHARSKI: Was any outside source --  
13 tow boats, tugs, anybody called?

14 MR. TORRES: It wasn't necessary. Within  
15 about 15, 20 minutes since we lost propulsion the  
16 engineers were able to get us back up and going again.

17 MR. KUCHARSKI: So they lost propulsion for  
18 about 15 to 20 minutes, something like that?

19 MR. TORRES: Approximately, yes.

20 MR. KUCHARSKI: Okay, and you were down --  
21 I'm sorry, were you -- seeing --

22 MR. TORRES: I was in my office. I got  
23 called up to the bridge by the captain.

24 MR. KUCHARSKI: Your office, the Chief  
25 Mate's office?



1 MR. TORRES: Chief Mate's office, yes.

2 MR. KUCHARSKI: But your office is one deck  
3 below the bridge?

4 MR. TORRES: Correct.

5 MR. STITH: Kevin Stith, TOTE Services.  
6 Who was the captain at the time?

7 MR. TORRES: Eric Axelson (phonetic).

8 MR. MILLAR: Mike Millar with ABS. Do you  
9 know the approximate time of the year or when that  
10 might have been, or what voyage?

11 MR. TORRES: I couldn't recall off the top  
12 of my head what --

13 MR. MILLAR: Do you recall who the chief  
14 engineer or 1st or 2nd might have been t that time?

15 MR. TORRES: The chief engineer at that  
16 time was Jimmy Robinson (phonetic).

17 MR. KUCHARSKI: I'm sorry, Rollins?

18 MR. TORRES: Robinson.

19 MR. KUCHARSKI: Robinson. And, going back,  
20 you said you got off the El Faro on the 20th of July.

21 MR. TORRES: 28th.

22 MR. KUCHARSKI: 28th of July of this year,  
23 had been on as Chief Mate for about a year and a half.  
24 They lost propulsion leaving San Juan.

25 MR. TORRES: Yes.

1 MR. KUCHARSKI: But was it this year? Last  
2 year?

3 MR. TORRES: Less than a year ago. I'm  
4 going to have to say anywhere between -- and I'm just  
5 speculating here. I can't come up with the exact  
6 time.

7 MR. KUCHARSKI: No, I'm not asking for that  
8 either.

9 MR. TORRES: Yes.

10 MR. KUCHARSKI: You know, maybe you can  
11 bracket it by when you remembered this happened, that  
12 happened, so it's somewhere in between this time  
13 period.

14 MR. TORRES: With this run, you know, it's  
15 tough to make out if --

16 MR. KUCHARSKI: (Inaudible)

17 MR. TORRES: -- you know runs. Less than a  
18 year ago, that's all I can say. I can't --

19 MR. KUCHARSKI: Okay, what's your rotation,  
20 your general rotation?

21 MR. TORRES: Seventy on, seventy off.

22 MR. KUCHARSKI: Seventy on, seventy off.  
23 Do you recollect if it was in that last rotation?

24 MR. TORRES: It wasn't in the last  
25 rotation.

1 MR. KUCHARSKI: It was?

2 MR. TORRES: It was not.

3 MR. KUCHARSKI: I was not.

4 MR. TORRES: Must have been, possibly the  
5 one before that or the one before that.

6 MR. KUCHARSKI: And did you complete a full  
7 70 days on the last rotation when you got off on 28  
8 July?

9 MR. TORRES: No, I did not.

10 MR. KUCHARSKI: How many days were you off  
11 fo?

12 MR. TORRES: About five weeks.

13 MR. STITH: Kevin Stith, TOTE Services. Do  
14 you know or can you remember if any determination was  
15 made of why they lost propulsion?

16 MR. TORRES: Yes.

17 MR. STITH: What was that?

18 MR. TORRES: As I recall, the 3rd engineer  
19 closed the wrong guff and basically lost propulsion.  
20 And then an oiler -- in trying to solve the problem,  
21 an oiler also made another mistake. And then the --  
22 if I recall correctly, the All-call went off. And  
23 then the chief was able to rectify the problem.

24 MR. STITH: Thanks.

25 MR. KUCHARSKI: Sorry. This is Mike

1 Kucharski. Eric Axelson, is he still the captain on  
2 these vessels.

3 MR. TORRES: Eric Axelson resigned.

4 MR. KUCHARSKI: He resigned?

5 MR. TORRES: Yes.

6 MR. KUCHARSKI: Well, when? Was it around  
7 that time or?

8 MR. TORRES: I got off July 28th. I think  
9 it was a week after I got off, about a week after I  
10 got off. So the first week of August 2015.

11 MR. KUCHARSKI: Anymore on this line of  
12 questioning? No?

13 MR. MILLAR: I do want to talk about how the  
14 his behaved.

15 MR. KUCHARSKI: Well, that's not on this  
16 line of questioning.

17 MR. MILLAR: No, yes. It's not I thought we  
18 were done with this line of questioning. Yes.

19 MR. KUCHARSKI: Take -- go ahead.

20 MR. MILLAR: This is Mike Millar.

21 MR. KUCHARSKI: Sorry, this is Mike  
22 Kucharski. Just wanted to close that and --

23 MR. MILLAR: Sorry.

24 MR. KUCHARSKI: -- -because I -- have some  
25 follow-up to move on the actual date of where the

1 conversations went on. And then we can maybe handle  
2 the rest, okay? Is that okay, so we can try to keep  
3 it on track, so.

4 Basically we'd like to just understand the  
5 last voyage of El Faro. The vessel was heading  
6 southbound towards the tropical storm at that time.

7 You talked to the vessel or you were up on  
8 the bridge when there was conversation going on  
9 between this vessel, the El Yunque, and the El Faro  
10 which was heading northbound. You were heading -- I'm  
11 sorry, the El Faro was heading southbound. You were  
12 heading northbound.

13 MR. TORRES: Correct.

14 MR. KUCHARSKI: Do you recollect that  
15 period?

16 MR. TORRES: Yes, I was on the bridge when  
17 the conversation took place.

18 MR. KUCHARSKI: Okay, could you tell us  
19 approximately where it was? Was it a day? Where you  
20 a day out of San -- a day out of Jacksonville?

21 MR. TORRES: This occurred on Wednesday  
22 afternoon, approximately 1600.

23 MR. KUCHARSKI: So Wednesday, that would be  
24 --

25 MR. TORRES: That would be, we leave San

1 Juan on a Monday, so we would be the second day out of  
2 San Juan. Tuesday, yes, Wednesday.

3 MR. KUCHARSKI: Well then that was the  
4 30th. Wednesday was the 30th.

5 MR. TORRES: That's correct. Yes, the  
6 30th.

7 MR. KUCHARSKI: Okay, do you recollect too,  
8 so I've got times in my mind, San Juan is on a  
9 different time zone?

10 MR. TORRES: Not at this time.

11 MR. KUCHARSKI: Not at this time. Okay, so  
12 both of your vessels should have been on the same --

13 MR. TORRES: Correct.

14 MR. KUCHARSKI: Same time. So what can you  
15 tell us about your recollection of the conversations  
16 that went on?

17 MR. TORRES: I remember the Chief Mate  
18 calling. We had just turned over the watch. Chief  
19 Mate Steve Schultz called and Chief Mate Hiro Quazi  
20 (phonetic) answered.

21 And the first call was to thank him about  
22 light bulbs, if I recall correctly. Something, I  
23 guess, we'd done them a favor that I didn't even know  
24 about and we'd leant then some light bulbs. They'd  
25 run out, something like that.

1                   And then I recall the conversation was over  
2 then. And a little while later Steve called back  
3 again. And then, I guess, with El Faro making  
4 preparations to go over to Alaska, he ask Quazi about  
5 the tarp for the pilot awning thing on the starboard  
6 side of the bridgeway. And Quazi's like, yeah, sure.  
7 Let me look around and, you know, I'll drop it off for  
8 you in Jacksonville.

9                   I do remember then Quazi said something  
10 like, well, where are you guys going? And I don't  
11 remember exactly what Steve said at that point. I  
12 don't know if -- I can't recall exactly what his  
13 answer to Quazi's statement was. And then from then,  
14 as I recall, the conversation ended.

15                  And then Captain Kedden (phonetic) spoke to  
16 Steve and thanked him for showing him around on the El  
17 Faro for the time that he was there. And that's all I  
18 can remember as far as the conversation goes.

19                  MR. KUCHARSKI: But no -- this is Mike  
20 Kucharski -- no discussion of weather or any concerns  
21 or anything like that?

22                  MR. TORRES: I do remember Quazi telling  
23 Steve that we had sped up to gain as much distance  
24 between us and what was a tropical storm there the  
25 time. And that's it. That's all I recall. Quazi

1 said, like, yeah, this is why we sped up and, see,  
2 we're up at, whatever, 22 knots at the time. And  
3 that's it.

4 MR. KUCHARSKI: Anymore, any questions  
5 specifically on the conversations there?

6 MR. STITH: Kevin Stith with TOTE Services.  
7 In your recollection of Chief Mate Steve on the El  
8 Faro, did he -- did it seem likely to you that he was  
9 concerned or it was just business as usual?

10 MR. TORRES: It seemed business as usual  
11 from what we got from him --

12 MR. STITH: Okay.

13 MR. TORRES: -- from listening -- from what  
14 I got listening to the conversation.

15 MR. STITH: Thank you.

16 MR. KUCHARSKI: Mike Kucharski. Let me  
17 change slightly. While you were on El Faro you were  
18 on there as Chief Officer, Chief Mate. Were you on  
19 there as 2nd Mate also at any time?

20 MR. TORRES: No.

21 MR. KUCHARSKI: Are you aware of any policy  
22 or any procedure, as you were Chief Officer -- I  
23 believe the 2nd Officer falls under the Chief Officer.  
24 In the hierarchy Deck Department Chief Officer/Chief  
25 Mate is the head of the Deck Department.



1 MR. TORRES: Yes.

2 MR. KUCHARSKI: Second Mate falls under the  
3 Chief Mates in his department. Do you recollect how  
4 or if any storm tracking is done or any specific  
5 weather information or exchange between the master and  
6 the 2nd Mate -- company type thing, not specific  
7 conversations?

8 MR. TORRES: As I said, on the El Faro, for  
9 the time that I was there, we always had excellent  
10 weather. So I can't recall any specific instances  
11 where we had to have any discussion, whether it was  
12 the 2nd Mate, captain or myself an the captain about  
13 storm tracking or weather or anything like that. No.

14 MR. KUCHARSKI: Okay. And they use -- can  
15 you tell us about the name of the system you're using  
16 for weather information?

17 MR. TORRES: Yes, we have BVS onboard.

18 MR. KUCHARSKI: BVS?

19 MR. TORRES: Correct.

20 MR. KUCHARSKI: And do you know what that  
21 stands for?

22 MR. TORRES: Bon Voyage Service.

23 MR. KUCHARSKI: Okay. And that provides --  
24 what information does it provide?

25 MR. TORRES: Every six hours we get weather

1 information. The captain gets it and we get it on the  
2 bridge as well. And we get basically everything --  
3 forecasts. We can do routing. We can plug in our  
4 route, track storm systems, everything -- current  
5 temperature, low-pressure systems, all of the above.

6 MR. KUCHARSKI: Does it give you  
7 recommendations, any recommendations on a weather  
8 route?

9 MR. TORRES: No, not that I'm aware of.

10 MR. KUCHARSKI: Are you aware of any of the  
11 vessels asking for a weather reroute?

12 MR. TORRES: No, not that I'm aware.

13 MR. STITH: Kevin Stith with TOTE Services.  
14 In your experience with a Bon Voyage System and the  
15 actual weather that was experienced did it seem to be  
16 accurate in that regard?

17 MR. TORRES: Yes, it did.

18 MR. STITH: Okay.

19 MR. [REDACTED] [REDACTED] with the Coast  
20 Guard. Did it give you just text or was there a  
21 graphical representation of weather?

22 MR. TORRES: That's a good thing about Bon  
23 Voyage is you have a graphical, visual image of a  
24 system, how it's going to move, how it's going to  
25 track. And with plugging in your route you can even

1 see, you know, how close, how far you'll be passing.

2 MR. KUCHARSKI: Mike Kucharski. Back to  
3 the weather. Did you have a facsimile machine on  
4 there, weather facsimile machine?

5 MR. TORRES: Yes.

6 MR. KUCHARSKI: Did you ever use that? Did  
7 they ever use it?

8 MR. TORRES: I take that back. On the El  
9 Faro, as I recall, there wasn't a weather fax. It's  
10 only this ship.

11 MR. KUCHARSKI: This ship has it but the El  
12 Faro doesn't have a weather facsimile?

13 MR. TORRES: As I recall, yes. I don't  
14 believe the El Faro had a weather fax.

15 MR. KUCHARSKI: So the weather information  
16 that you got was exclusively through Bon Voyage, the  
17 computer type weather?

18 MR. TORRES: No.

19 MR. KUCHARSKI: What other --

20 MR. TORRES: You also have Enhanced Group  
21 Calling through your SAT-C. You get weather that way  
22 as well.

23 MR. KUCHARSKI: So that came in regularly,  
24 the SAT-C?

25 MR. TORRES: I can't speak specifically

1 about the El Faro but, yes, it comes in an a six-hour  
2 basis.

3 MR. KUCHARSKI: And is that a printed or is  
4 it a computer type?

5 MR. TORRES: Yes, it's a printed text of  
6 the weather, yes.

7 MR. STITH: Kevin Stith of TOTE Services.  
8 In your experience for the Bon Voyage System and the  
9 EGC weather, did those two seem to have very similar,  
10 if not identical, information?

11 MR. TORRES: Correct.

12 MR. STITH: Okay.

13 MR. KUCHARSKI: Mike Kucharski. Could you  
14 explain, Jaime, what EGC is? That's the first I heard  
15 that term.

16 MR. TORRES: Enhanced Group Calling is  
17 basically, it's a broadcast, a general broadcast of  
18 weather to all ships.

19 MR. KUCHARSKI: And is that -- that's part  
20 of the, a different system?

21 MR. TORRES: That's part of the SAT-C  
22 system.

23 MR. KUCHARSKI: SAT-C?

24 MR. TORRES: It's part GMDSS.

25 MR. KUCHARSKI: Got you. Got you. So you

1 compare the EGC or the Advanced (sic) Group --

2 MR. TORRES: Enhanced Group Call.

3 MR. KUCHARSKI: -- calls?

4 MR. TORRES: Yes.

5 MR. KUCHARSKI: Whether it would be a BVS -

6 -

7 MR. TORRES: Correct.

8 MR. KUCHARSKI: Great, thank you.

9 MR. TORRES: Yes.

10 MR. MILLAR: Mike Millar, ABS. While you  
11 were transiting on the El Yunque on the northbound  
12 trip were there any other radio communications with  
13 any other radio communications with other vessels in  
14 distress or any alerts of problems in the area,  
15 reports of containers adrift or --

16 MR. TORRES: No, not that I recall. No.

17 MR. MILLAR: Okay. Would that type of  
18 notice also come out on the Enhanced Group Call? Or  
19 would it be the NAVTEX?

20 MR. TORRES: Containers adrift Yes, it  
21 could come up in a NAVTEX or it could come up in a  
22 SAT-C. Yes.

23 MR. KUCHARSKI: Anymore on the weather,  
24 gentlemen?

25 MR. MILLAR: On your northbound trip, how

1 was the El Yunque behaving? Was there rocking and  
2 rolling? Was there, was she shipping water on deck at  
3 all?

4 MR. KUCHARSKI: Mike Millar is asking the  
5 question.

6 MR. MILLAR: Oh, sorry. Mike Millar with  
7 ABS.

8 MR. KUCHARSKI: So the answer to my  
9 question, more on the weather, that's -- we're  
10 finished with the weather questions. Okay, sorry.  
11 Mike Kucharski, sorry, signing off.

12 MR. TORRES: We did see some spray on the  
13 second deck as we transited through the storm system.  
14 As far as whether the ship was rocking and rolling, I  
15 think she did pretty well. I don't -- I can't recall  
16 anything out of the ordinary as far as ships' motion  
17 goes with us transiting through. I mean, typical  
18 pitching and a slight roll but nothing extreme.

19 MR. MILLAR: This is Mike Millar with ABS.  
20 As 2nd Mate were you doing deck walks, checking  
21 latching and during, after your watch?

22 MR. TORRES: Correct. Yes, assist the  
23 Chief Mate any way possible. Make --

24 MR. MILLAR: Was there any accumulated  
25 water on deck?

1 MR. TORRES: No, nothing significant. No  
2 accumulation, no. Just spray.

3 MR. MILLAR: How about pockets over by the  
4 emergency generator controls?

5 MR. TORRES: Emergency generator controls?

6 MR. MILLAR: Emergency fire pump. I'm  
7 sorry, emergency fire pump controls.

8 MR. TORRES: No, nothing comes to mind.

9 MR. KUCHARSKI: This is Mike Kucharski.  
10 Back to stability. Are you familiar with the term,  
11 Required GM?

12 MR. TORRES: Yes.

13 MR. KUCHARSKI: Are you familiar with the  
14 term, Excess GM?

15 MR. TORRES: Yes.

16 MR. KUCHARSKI: When the vessel left -- and  
17 I'm talking about the El Faro left on a typical voyage  
18 out of Jacksonville, did it typically have Excess GM  
19 or was it very close to meeting the GM or the  
20 stability criteria requirements?

21 MR. TORRES: Leaving Jacksonville did it  
22 have Excess GM? No. It was close to meeting the  
23 requirements.

24 MR. KUCHARSKI: So it was over? It didn't  
25 meet it, but it was --

1 MR. TORRES: Correct. Yes.

2 MR. MILLAR: Mike Millar, ABS. As part of  
3 Chief Mate duties are you required to regularly check  
4 the accuracy of the stability software? And how do  
5 you go about doing that?

6 MR. TORRES: With the vessel stability  
7 calculations and with the CargoMax software, you have  
8 the test cases where, when we go through the test  
9 cases, we make sure that the test case matches the  
10 software. And if it's accurate then you know that  
11 your CargoMax is working as it should.

12 MR. MILLAR: And those test cases are kept  
13 in binder? Or are they separate? Or how are they --

14 MR. TORRES: Well, the test cases are kept  
15 in a binder with the CargoMax software and with the  
16 ABS stability calculations for the vessel. Yes, it's  
17 all kept together.

18 MR. MILLAR: And each ship is different,  
19 like the El Faro, the El Yunque, they each have their  
20 own separate CargoMax software?

21 MR. TORRES: That is correct.

22 MR. MILLAR: And did you happen to notice  
23 that, were there any differences between the two?

24 MR. TORRES: Between the two?

25 MR. MILLAR: Right, the software outputs.



1 IN other words, did you noticed a slight GM difference  
2 or slight KG difference or --

3 MR. TORRES: No, they map spot them.

4 MR. MILLAR: Okay, so they -- okay, just  
5 curious.

6 LCDR [REDACTED] Lieutenant Commander Mike  
7 [REDACTED] from the Coast Guard. With regard to the  
8 stability, when you were leaving Jacksonville, can you  
9 recall what your typical fore and aft drafts and GM  
10 would be on your typical load?

11 MR. TORRES: All right, generally on the  
12 stern no more than 33 feet. Generally never left with  
13 more than with 6-foot trim, so that would put you  
14 about 27 fore, 33 aft, something like that.

15 And then anything, you know, less than that  
16 -- we were never lucky enough to have less than 2-foot  
17 trim. It's anywhere between 2 and 6, let's say.

18 LCDR [REDACTED] But you generally prefer  
19 less trim, but no more than 6 is kind of the

20 MR. TORRES: Well --

21 LCDR [REDACTED] Is that defined limit or  
22 is it like a, you know, desire of the master at that  
23 time of the ship?

24 MR. TORRES: Well, as far as that goes,  
25 yes. Every master is different as far as what trim he

1 would prefer. The less trim you have the better. The  
2 better speed, the more speed the ship will make  
3 through the water. And it'll also be more fuel  
4 efficient. We've proven that here.

5 But it, you know, the port captain will  
6 always try to load the vessel so that it generally is  
7 under 6 but, like I said, never less than 2.

8 LCDR [REDACTED] Lieutenant Commander  
9 [REDACTED] again. Just, any idea about the GM? What  
10 you were looking for on that?

11 MR. TORRES: We never left Jacksonville,  
12 typically, without a, with less than a 0.5 required.

13 LCDR [REDACTED] 0.5 C?

14 MR. TORRES: 0.5 margin.

15 LCDR [REDACTED] Okay.

16 MR. TORRES: And that was, that would  
17 typically get us down to San Juan safely with plenty  
18 of GM margin to spare.

19 MR. MILLAR: Mike Millar with ABS. When  
20 you were doing your stability calculations did you  
21 take into account fuel burn?

22 MR. TORRES: Correct.

23 MR. MILLAR: And did you do any ballast  
24 exchanges in the process, in the southbound trips and  
25 in anticipation of port entry into San Juan?

1 MR. TORRES: This last trip that I did on  
2 the El Faro, for the first time we actually did  
3 ballast water exchanges. And never before the last  
4 COI of actually this ship had ballast water exchanges  
5 ever come up.

6 We had always been considered exempt  
7 because we didn't exceed 200 miles from shore. And,  
8 yes, when doing our stability calculations, when doing  
9 my stability calculations, I would take into account  
10 burnoff and, additionally, any ballast water exchanges  
11 that I would do southbound or northbound.

12 MR. KUCHARSKI: Further questions anybody?  
13 You mentioned --

14 MR. [REDACTED] I do have one on that. So --

15 MR. KUCHARSKI: Sorry.

16 MR. [REDACTED] Coast Guard.  
17 So the half-inch GM you would -- that takes into  
18 account the burnoff for the whole rest -- that was the  
19 -- how would you calculate that? How would it  
20 fluctuate through the voyage?

21 MR. TORRES: All right, if you typically  
22 leave with a, say, 0.5 GM margin, taking into account  
23 burnoff, we would arrive in San Juan with a 0.2.

24 MR. KUCHARSKI: Mike Kucharski. Point five  
25 what? What's the unit?

1 MR. TORRES: Point five inches.

2 MR. KUCHARSKI: Half an inch?

3 MR. TORRES: Correct.

4 MR. KUCHARSKI: You had a half an inch  
5 margin leaving port?

6 MR. TORRES: Over and above the  
7 (inaudible).

8 MR. MILLAR: Mike Millar over ABS. Is a  
9 0.5-inch margin over and above the minimum required  
10 GM?

11 MR. TORRES: That is correct.

12 MR. MILLAR: So if it was 0.5 meters GM or  
13 0.7 GM was the required GM, you would have 0.7 plus a  
14 half an inch?

15 MR. TORRES: Yes. That's correct.

16 MR. MILLAR: Mike Millar with ABS again.  
17 Would the Chief Engineer give you the expected  
18 burnoff?

19 MR. TORRES: Yes. That's correct. He  
20 would give us the expected burnoff.

21 MR. MILLAR: Do you recall what sort of  
22 tonnage that might be? How many tons?

23 MR. TORRES: It would fluctuate depending  
24 on when we got out on time or not. So it could be  
25 more if we had to speed more to get down to San Juan

1 or it could be less. A thousand tons, max.

2 MR. MILLAR: Okay, a ballpark for you  
3 owner.

4 MR. TORRES: Yes, ballpark.

5 MR. MILLAR: Oh, Mike Millar, ABS. Then  
6 would you know if the departure report would indicate  
7 the total amount of fuel onboard?

8 MR. TORRES: Yes, it did.

9 MR. MILLAR: So we would actually have the  
10 actual figures and that figure, and then the stability  
11 calculations would show the burned off, the expected  
12 burnoff for the voyage?

13 MR. TORRES: Correct.

14 MR. MILLAR: Okay.

15 MR. STITH: Kevin Stith with TOTE Services.  
16 Your time on the El Faro, during the voyage, did you  
17 do what you may call an FC calculation for arrival in  
18 San Juan?

19 MR. TORRES: Absolutely, yes.

20 MR. STITH: And did you give that to the  
21 captain --

22 MR. TORRES: That's correct.

23 MR. STITH: -- to review? Okay.

24 MR. KUCHARSKI: Okay. Mike Kucharski.

25 Next line of questions. You mentioned Captain Eric

1 Axelson resigned sometime in the recent past. Did any  
2 other officers resign within the last six months, that  
3 you're aware of?

4 MR. TORRES: No.

5 MR. KUCHARSKI: You visually took -- this  
6 is Mike Kucharski again -- visually took drafts. Did  
7 you input those into your CargoMax program?

8 MR. TORRES: No.

9 MR. KUCHARSKI: Did the CargoMax program  
10 actually give you a hog and/or sag figure?

11 MR. TORRES: Yes.

12 LCDR [REDACTED] Lieutenant Commander  
13 [REDACTED] from the Coast Guard. This might be hard  
14 for you to remember, but on the El Faro stability  
15 letter, do you recall if the ABS stability letter had  
16 something on there about the Run (phonetic) tanks not  
17 being the last thing installed?

18 MR. TORRES: If -- I don't believe the El  
19 Faro ever had Run tanks.

20 LCDR [REDACTED] Thank you.

21 MR. KUCHARSKI: Further questions to ask?

22 MR. STITH: I do. Kevin Stith with TOTE  
23 Services. In your time on the El Faro, as far as the  
24 layout and construction of the second deck, did both  
25 sides of the second deck have manholes or scuttles?

1 MR. TORRES: That's correct.

2 MR. STITH: And in your recollection, what  
3 was the configuration or construction of those  
4 scuttles? Were they round, oval, flush, raised?

5 MR. TORRES: They were raised. They were  
6 round.

7 MR. STITH: Do you remember what type of  
8 securing mechanism they had?

9 MR. TORRES: They had dogs, yes.

10 MR. KUCHARSKI: Mike Kucharski. Did some  
11 of them have wheels on them?

12 MR. TORRES: That is correct. Yes, some of  
13 them had wheels on them. Correct.

14 MR. KUCHARSKI: Do you remember the scuttle  
15 at No. 3 hold, where it was, and did it have a wheel  
16 or a dog's eye?

17 MR. TORRES: Number 3. If I remember  
18 correctly, it had a wheel on it.

19 MR. KUCHARSKI: Was there only one scuttle  
20 to No. 3 hold on the El Faro?

21 MR. TORRES: Yes, I believe so. Correct.

22 MR. KUCHARSKI: Do you remember if it was  
23 port or starboard side?

24 MR. TORRES: Starboard.

25 MR. KUCHARSKI: Just a watertight door

1 questions. Do you recollect if there was any policy  
2 for opening or closing watertight doors?

3 MR. TORRES: Yes, the policy was we  
4 typically wouldn't open watertight doors at sea.

5 MR. KUCHARSKI: Okay, let's be specific.  
6 Besides the watertight doors, the cargo doors, the  
7 large cargo doors --

8 MR. TORRES: Yes.

9 MR. KUCHARSKI: -- there were watertight  
10 doors that lead to the engine room?

11 MR. TORRES: Yes.

12 MR. KUCHARSKI: On the second deck,  
13 specifically, and then one half a deck, a flat above,  
14 around the house, there's a watertight door, I  
15 believe, if you walk up the ladder and you go in  
16 there.

17 MR. TORRES: Yes.

18 MR. KUCHARSKI: There are watertight doors,  
19 we believe, that are cut into the big cargo doors --

20 MR. TORRES: Yes.

21 MR. KUCHARSKI: -- the manual doors. Do  
22 you recollect those --

23 MR. TORRES: Yes, I do.

24 MR. KUCHARSKI: -- being there too?

25 MR. TORRES: Yes.



1 MR. KUCHARSKI: Okay. Is there any policy  
2 regarding those, opening and closing those?

3 MR. TORRES: The policy basically was if  
4 you open it you close it behind you.

5 MR. KUCHARSKI: When you opened or closed  
6 those -- did you open or close those --

7 MR. TORRES: Yes.

8 MR. KUCHARSKI: -- when you, as when you  
9 were Chief Officer? Why did you open or close those?

10 MR. TORRES: If going into a space to  
11 inspect cargo you would open those doors, yes.

12 MR. KUCHARSKI: And doors, say, and/or  
13 scuttles?

14 MR. TORRES: Correct.

15 MR. KUCHARSKI: Was anybody notified of  
16 your opening that scuttle and/or closing that scuttle?

17 MR. TORRES: No.

18 MR. KUCHARSKI: Was there any company  
19 policy on notifying anyone on opening or closing those  
20 scuttles or doors?

21 MR. TORRES: Not that I'm aware of.

22 MR. KUCHARSKI: How about the cargo doors?  
23 Were they ever opened or closed underway?

24 MR. TORRES: Sometimes, yes.

25 MR. KUCHARSKI: Was anybody notified of

1 opening or closing those?

2 MR. TORRES: No.

3 MR. KUCHARSKI: Is there any company policy  
4 on notifying anybody if you open or close those?

5 MR. TORRES: Not that I'm aware.

6 MR. [REDACTED] [REDACTED] with the Coast  
7 Guard. So, talk about the policy as to keeping closed  
8 while you're at sea, would you say that it was common  
9 to follow that policy or were there times that they  
10 were secured open for any reason? Ventilation in the  
11 engine room or easy access to working, you guys going  
12 back and forth all the time? Were they ever secured  
13 open?

14 MR. TORRES: Secure open? No. But if we  
15 did have to work in a space a door would be open for a  
16 period of time and then secured, yes.

17 MR. STITH: Kevin Stith with TOTE Services.  
18 In your time as Chief Mate on the El Faro in charge of  
19 submitting requisitions, did you find that the company  
20 was responsive and processed those requisitions  
21 quickly or at what rate they would process them?

22 MR. TORRES: It depends. Some things we  
23 would get quicker than others.

24 MR. STITH: In regards to safety equipment,  
25 and the processing of safety equipment requisitions,

1 do you feel that it was adequate?

2 MR. TORRES: Yes, it was adequate.

3 MR. STITH: All right. I have one other  
4 question. In regards to the El Faro, while you were  
5 on there, do you feel that their risk management  
6 process for various activities onboard the ship was  
7 adequate?

8 MR. TORRES: Yes.

9 MR. STITH: Okay, thank you.

10 MR. MILLAR: Mike Millar, ABS. During your  
11 time as, onboard the El Faro or any of the other ships  
12 have you experienced any bilge alarms in the Cargo  
13 Hold No. 3?

14 MR. TORRES: No.

15 MR. MILLAR: Have you experienced -- is  
16 there a bilge alarm notification on the bridge?

17 MR. TORRES: No, not on the bridge.

18 MR. MILLAR: Do you know where the alarm  
19 would occur?

20 MR. TORRES: It's in engine room at the  
21 console.

22 MR. STITH: Kevin Stith with TOTE Services.  
23 The water tank alert indicating panel in the sprinkler  
24 room, was that something that was monitored or  
25 checked?

1 MR. TORRES: That is correct. Yes.

2 MR. STITH: In your experience as Chief  
3 Mate, is that something that you would check after  
4 completion of cargo?

5 MR. TORRES: After completion of cargo,  
6 yes, and on a daily basis underway.

7 MR. STITH: Okay. Thank you.

8 MR. KUCHARSKI: Mike Kucharski. I'd just  
9 like a point of clarification. That's the first I've  
10 heard the term, Sprinkler Room. Are we saying that  
11 the alarm panel on the El Faro was in the sprinkler  
12 room?

13 MR. TORRES: Yes.

14 MR. KUCHARSKI: Is it the same  
15 configuration on the alarm panel that's as is on here?

16 MR. TORRES: For the water tank door, open  
17 and close indicator, yes, that is here -- in the fire  
18 control room or the sprinkler room.

19 MR. KUCHARSKI: Is there a way to test to  
20 see if a bolt is out on the watertight door panel?

21 MR. TORRES: You would be able to see it  
22 right away. It's either open or closed. So you'll be  
23 able to see whether it's green or red. If it's  
24 neither, then the light, then the bulb is out.

25 MR. [REDACTED] [REDACTED] with the Coast

1 Guard. One final question for me. You mentioned Eric  
2 Axelson had resigned, you said, a week after you had  
3 gotten off the ship.

4 MR. TORRES: Yes.

5 MR. [REDACTED] How did you find out about  
6 that? Did you have personal contact with him or?

7 MR. TORRES: No, and the Chief Mate that  
8 relieved me moved up to captain when Eric resigned.  
9 And I must have heard it through him.

10 MR. [REDACTED] Did you hear anything? Any  
11 reason given as far as why or any --

12 MR. TORRES: No. No, I did not.

13 MR. [REDACTED] Did he seem, when you served  
14 with him, was he -- did he seem happy with the vessel,  
15 the company, anything like that? Was he -- anything  
16 he was particularly --

17 MR. TORRES: I can't recall anything out of  
18 the ordinary.

19 MR. KUCHARSKI: Mike Kucharski. Who was  
20 the Chief Mate that then went up to captain after  
21 Captain Axelson resigned?

22 MR. TORRES: Ray Thompson.

23 MR. STITH: Kevin Stith with TOTE Services.  
24 In your recollection of the El Faro, did they have any  
25 other means to, in case of flooding, to dewater a

1 space such as deductors or sump pumps, damage control  
2 equipment?

3 MR. TORRES: We had -- it was bag pumps  
4 available in the HAZMAT locker that I recall. As far  
5 as what the engine room had that could be portable,  
6 no, I can't state anything to that. Aside from the  
7 ROSE boxes, I can't.

8 MR. MILLAR: Mike Millar, ABS. For pumping  
9 out the bilge pockets or pumping out the Cargo Hold  
10 No. 3, we've been led to believe that No. 3 Hold had  
11 water accumulated. What pumps would it be capable of  
12 pumping out that hold?

13 MR. TORRES: I can't -- I'm not an  
14 engineer, so I can't speak to the fact of what they  
15 used in the engineer room.

16 MR. MILLAR: Okay. It would all be  
17 controlled by the engineers?

18 MR. TORRES: Correct.

19 MR. KUCHARSKI: Mike Kucharski. Are we  
20 finished with that line of questioning, guys, before  
21 we shift gears a little bit?

22 How were the relationships overall on the  
23 El Faro between Deck and Engine? Were they pretty  
24 good?

25 MR. TORRES: Yes, very good.

1 MR. KUCHARSKI: How about safety culture on  
2 the vessel? How did you perceive that?

3 MR. TORRES: Safety culture was great. And  
4 we had a weekly training as well and monthly safety  
5 meetings. As far as I understand, it was good.

6 MR. KUCHARSKI: Mike Millard, do you have  
7 any questions regarding this?

8 MR. MILLAR: Mike Millard, ABS. Was there  
9 good teamwork at all levels?

10 MR. TORRES: I believe so.

11 MR. MILLAR: Communications? How about  
12 work practices? Job safety analysis or --

13 MR. TORRES: Yes, absolutely. Everybody  
14 worked well together. We worked as a team. And as  
15 far as, yes, the job hazard analysis and the  
16 practices, everything was done as the company policy.  
17 There weren't any issues there.

18 MR. KUCHARSKI: Mike Kucharski. Were there  
19 printed forms for the job hazard analysis?

20 MR. TORRES: There were.

21 MR. STITH: Kevin Stith, TOTE Services. Do  
22 you know if those forms were then forwarded to the  
23 home office?

24 MR. TORRES: That is correct. Yes, they  
25 were.

1 MR. STITH: Kevin Stith with TOTE Services.

2 Do you also know if the copies, the carbon copies of  
3 the deck logs were sent to the home office?

4 MR. TORRES: That is also correct. Yes.

5 MR. KUCHARSKI: All set? Okay, this is  
6 Mike Kucharski, group chairman. We're going to stop  
7 the interview. Thank you very much for your time.  
8 And I'm sure it's traumatic of some sorts, and we  
9 really appreciate you taking the time out from  
10 everything. Thank you so much. The time now is about  
11 1554.

12 (Whereupon, the above-entitled matter went  
13 off the record at 3:54 p.m.)  
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C E R T I F I C A T E

MATTER: El Faro Incident  
Accident No. DCA16MM001  
Interview of Jaime Torres  
Jacksonville, Florida

DATE: 10-09-15

I hereby certify that the attached transcription of page 1 to 67 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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## TABLE OF CORRECTIONS TO TRANSCRIPT OF INTERVIEW FOR

JAIME F. TORRES

TAKEN ON OCTOBER 9, 2015

Page Number	Line Number	Current Wording	Corrected (Suggested) Wording	NTSB Response
5	9, 10	20 <sup>th</sup> _____	28 <sup>th</sup>	<b>Do not agree, transcript correct</b>
5	24	_____	say	<b>Do not agree, transcript correct</b>
6	2, 15	2013 _____	May 2014	<b>Do not agree, transcript correct</b>
7	21,25	latches _____	lashings	<b>Agree</b>
8	3, 10, 14	latches _____	lashings	<b>Agree</b>
8	21,22	double latch _____	double lashed	<b>Agree</b>
9	20	latch _____	lashing	<b>Agree</b>
11	3	latch _____	lash	<b>Agree</b>
11	7	e-ring _____	D-ring	<b>Agree</b>
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12	9, 13	latchings _____	lashings	<b>Agree</b>
14	5, 6, 10, 13, 20,23	latching(s) _____	lashing	<b>Agree</b>
15	8	latch _____	Cargo Max	<b>Agree</b>
22	5	knid _____	kind	<b>Agree</b>
<del>20</del> 24	24	lost _____	lose	<b>Do not agree, transcript correct</b>
27	19	guff _____	valve	<b>Agree</b>
28	14	his _____	ship	<b>Agree</b>
30	19	Hiro Quazi _____	KwesiAmoo	<b>Agree</b>

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31	4,6,9,13, 22,25	Quazi	Kwesi	Agree
31	15	Kedden	Kevin	Agree
41	7	Map spot them	Were spot on	Agree
51	23	Water tank alert	Watertight door	Agree
52	16	Tank	Tight	Agree
52	20	bolt	bulb	Agree
54	3	--It was bag	Wiz-bang	Agree

If to the best of your knowledge, no corrections are needed kindly circle the statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED. \_\_\_\_\_

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Printed Name of Person providing the above information

\_\_\_\_\_  
Signature of Person providing the above information

\_\_\_\_\_  
Date

Lee Peterson  
TOTE Services

SUBJECT: Supplement to witness interview of Jaime F. Torres conducted on October 9, 2015

I am contacting you as the TOTE Services' Party Coordinator and Party Representative in connection with the NTSB El Faro accident investigation, NTSB Accident No. DCA16MM001. Please forward this to the appropriate NTSB investigative Group Chairpersons.

My interview was conducted on October 9, 2015 in the officer's lounge on the El Yunque and was principally conducted by the NTSB Operations Group. The interview was held during cargo operations and, consequently, portions of the questions and answers were somewhat difficult to hear. In reviewing the transcript, I identified two errors which require correction.

The first issue relates to the ship's GM margin. On page 43, Line 17, I was asked a question about the fuel burn-off that included in the premise of the question that we operated at "half-inch GM". Subsequent discussion on Page 44 at lines 1 through 14 were all predicated on the unit of measurement being inches. That was incorrect. The correct unit of measurement that should have been referenced was feet and not inches.

The second issue also begins on Page 44 at the bottom and relates to the ship's typical fuel burn rate when transiting from Jacksonville to San Juan. I was asked about the fuel burn and the transcript reflects that I said "a thousand tons, max". The correct response should have been a thousand barrels would typically be burned per day when transiting from Jacksonville to San Juan at full speed.

Please note these corrections in your investigative record.

Jaime F. Torres